

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

CHRISTOPHER WATKINS,)
)
Plaintiff,)
)
v.) CASE NO. _____
)
)
UBER TECHNOLOGIES, INC.,)
)
)
Defendant.)
)

NOTICE OF REMOVAL

Pursuant to Chapter 28, Section 1441(b) of the United States Code, Defendant Uber Technologies Inc. (“Uber”), by and through its undersigned counsel, hereby files this notice of removal of the civil action titled *Christopher Watkins v. Uber Technologies, Inc.*, CASE NO. 23-A-05414-7, from the Superior Court of Gwinnett County, Georgia, to the United States District Court for the Northern District of Georgia, Atlanta Division. In support of removal, Uber states as follows:

BACKGROUND

1. On or about June 22, 2023, Christopher Watkins (“Plaintiff”) filed a

Complaint for Damages (“Complaint”) against Uber Technologies, Inc. in the Superior Court of Gwinnett County, Georgia, (the “State Court Action”). A true and correct copy of all process and pleadings served are attached as **Exhibit 1**, and are incorporated herein by reference. A copy of the State Court docket showing all activities to date is attached as **Exhibit 2**. The Complaint alleges that Uber negligently handled Plaintiff’s background checks resulting in lost wages and emotional distress. Plaintiff seeks \$225,000.00 in damages. *See* Compl. at 4.

2. Plaintiff served Uber with the Summons and Complaint on June 29, 2023, thereby giving it notice of the State Court Action.

3. Pursuant to 28 U.S.C. §§ 1332 and 1337, and as discussed more fully below, complete diversity exists between the parties, and Plaintiff states in his Complaint the amount in controversy, which exceeds the sum or value of \$75,000, exclusive of interest and costs.

4. This Notice of Removal is filed timely as Uber files it within thirty (30) days of being served with the initial pleadings. *See* 28 U.S.C. § 1446(b).

5. Uber removes the State Court Action to the United States District Court for the Northern District of Georgia because it is the district within which the State Court Action is pending. *See* 28 U.S.C. § 1441(a).

DIVERSITY JURISDICTION EXISTS

6. Complete diversity of citizenship exists between the parties.
7. Plaintiff is a citizen of the State of Georgia. *See* Compl. at 1.
8. For the purposes of diversity jurisdiction, a corporation is a citizen of its state of incorporation and the state where its principal place of business is located. 28 U.S.C. § 1332(c)(1); *Flintlock Const. Servs., LLC v. Well-Come Holdings, LLC*, 710 F.3d 1221, 1224 (11th Cir. 2013).
9. Defendant Uber Technologies, Inc. is a Delaware corporation with its principal place of business in California.¹ Accordingly, for diversity of jurisdiction purposes, it is not a citizen of Georgia.
10. Because Uber is not a citizen of Georgia, complete diversity of citizenship exists between the real parties in interest. *See* 28 U.S.C. § 1332.

THE AMOUNT IN CONTROVERSY EXCEEDS \$75,000

11. Plaintiff claims \$225,000.00 in damages. *See* Compl. at 4.
12. Accordingly, the amount in controversy is met for purposes of diversity jurisdiction. *See* 28 U.S.C. § 1332(a).

REMOVAL PREREQUISITES HAVE BEEN SATISFIED

13. This Court has original jurisdiction over this action because complete

¹ See <https://bizfileonline.sos.ca.gov/search/business>

diversity of citizenship exists, and the amount in controversy is satisfied.

14. By removing this lawsuit, Uber does not waive any defenses available to it in federal or state court, and it expressly reserves the right to assert all such defenses, including defenses regarding arbitrability, in its responsive pleading.

15. Contemporaneously herewith, Uber files a copy of the Notice of Filing Notice of Removal to Federal Court with the Superior Court of Gwinnett County, Georgia, and served such Notice upon Plaintiff. A copy of this Notice of Removal is being served upon Plaintiff.

WHEREFORE, Uber desiring to remove this case to the United States District Court for the Northern District of Georgia, the district for the county in which the State Court Action is pending, prays that the filing of this Notice of Removal shall effect the removal of this Court.

This 28th day of July, 2023.

SHOOK, HARDY & BACON LLP

/s/ *Caroline M. Gieser*

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CERTIFICATE OF SERVICE

This is to certify that I have this day served all parties of record with the foregoing Notice of Removal of Defendant Uber Technologies, Inc. by U.S. Mail and provided a courtesy copy via electronic mail:

Christopher Watkins
653 Pinehurst Drive
Fairburn, GA 30213
christophermwatkins@yahoo.com
Plaintiff, *Pro Se*

This 28th day of July, 2023.

/s/ *Caroline M. Gieser*

Caroline M. Gieser
GA Bar #167916

*Attorneys for Uber Technologies,
Inc.*